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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

9

Application Number

10/656,629

Filing Date

September 8, 2003

First Named Inventor

Malak, Henryk

Art Unit

1641

Examiner Name

Christopher L. Chin

Attorney Docket Number

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a

Provisional Application

☐

Power of Attorney, Revocation

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify  
below):

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Henryk Malak

Signature

*H. Malak*

Printed name

Henryk Malak

Date

January 30, 2006

Reg. No.

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Date

January 30, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MALAK ET AL \*

Serial No.: 10/656,629 \* Art Unit: 1641

Filed: September 8, 2003 \* Examiner: Christopher L. Chin

For: Optochemical Sensing with Multi-Band Fluorescence Enhanced by Surface Plasmon Resonance.

AMENDMENT UNDER 37 CFR § 1.111

To the Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is responsive to the Official Action of December 19, 2005 which was non-final and rejected claims 1-20, which are all the claims in this application.

In the Specification

In the specification in the section DETAILED DESCRIPTION OF THE INVENTION, please delete the first and second paragraphs as shown with strike-through and substitute with an amended third paragraph presented below immediately after the strike-through version.

~~Current fluorescence techniques, despite their relatively high sensitivity, are restricted by fundamental photo-physical processes. For certain fluorophores, fluorescence might not be sufficiently sensitive to be used for successful identification of single-particle samples. For example, the typical fluorescence spectra of bacteria do not always provide sufficiently selective~~